

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**UNITED STATES
OF AMERICA,**

Respondent,

**CRIMINAL ACTION NO. 01-CR-80967-DT
CIVIL ACTION NO. 08-CV-10618-DT**

vs.

DISTRICT JUDGE LAWRENCE P. ZATKOFF

DARNELL ROBERTSON,

MAGISTRATE JUDGE MONA K. MAJZOUN

Movant.

_____ /

**ORDER DENYING MOVANT'S MOTION FOR PRODUCTION OF JENCKS
MATERIAL AND BRADY EVIDENCE**

This matter comes before the Court on Movant's Motion for Production of Jencks Material and Brady Evidence filed on March 23, 2009. (No. 01-80967, docket no. 124). This motion is made in connection with Movant's Motion to Vacate Sentence. (Docket no. 104). All proceedings related to that motion have been referred to the undersigned for decision. (Docket no. 110). There is no response to this motion. The Court dispenses with oral argument pursuant to E.D. Mich. LR 7.1(e). This motion is now ready for ruling.

This Court is entering contemporaneously with this Order a Report and Recommendation on Movant's Motion to Vacate Sentence. That Report shows that the information Movant seeks by this Motion for Production is not material to the decision on Movant's Motion to Vacate Sentence. Accordingly, Movant's motion will be denied.

IT IS THEREFORE ORDERED that Movant's Motion for Production (No. 01-80967, docket no. 124) is **DENIED**.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: June 04, 2009

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Report and Recommendation was served upon Darnell Robertson and Counsel of Record on this date.

Dated: June 04, 2009

s/ Lisa C. Bartlett
Courtroom Deputy